

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAWANNA O'NEAL,

Plaintiff,

Case No. 22-cv-11512

Hon. Matthew F. Leitman

v.

FCA US LLC,

Defendant.

**ORDER DISMISSING ACTION WITHOUT PREJUDICE FOR
PLAINTIFF'S FAILURE TO COMPLY WITH COURT ORDER
AND TO PROSECUTE**

On January 30, 2023, the Court entered an order granting a motion by Plaintiff Lawanna O'Neal's former attorneys to withdraw as her counsel. (*See* Order, ECF No. 10.) In the order, the Court gave direction concerning next steps in this action.¹ More specifically, the Court directed Plaintiff, by "no later than March 13, 2023," to "either (1) file written notice with the Clerk of the Court (231 West Lafayette Blvd., Room 599, Detroit, Michigan 48226), using the case number identified above, that she plans to represent herself in this action or (2) have new counsel file an Appearance in this action on her behalf." (*Id.*, PageID.136.) The Court further

¹ In order to ensure that O'Neal received the order, the Court directed her withdrawing counsel to serve it upon her. (*See* Order, ECF No. 10, PageID.136.) Withdrawing counsel subsequently filed a proof of service confirming that he complied with that direction. (*See* ECF No. 11.)

advised Plaintiff that “[i]f [she] does not comply with this order as directed above, the Court will dismiss her Complaint without prejudice for failure to prosecute.”

(Id.)

As of today, March 21, 2023, Plaintiff has neither had new counsel file an Appearance on her behalf, nor has she filed a written notice indicating that she will be representing herself. In fact, she has not communicated with the Court in any way to indicate that she intends to continue to prosecute this action. It thus appears to the Court that Plaintiff has abandoned this action. Accordingly, the Court will **DISMISS** the action **WITHOUT PREJUDICE**. No other sanction makes sense here because Plaintiff appears non-responsive.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 21, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 21, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126